

REMARKS

This is in response to the Final Office Action mailed January 4, 2008. Claims 1-5, 8-15, 18-24, and 27-29 are pending in the application and were rejected. Claims 1, 2, 11, 12, 20, and 21 are presently amended. For at least the reasons set below, Applicants assert that all claims are in condition for allowance and request favorable action and withdrawal of the rejections.

Acknowledgement of Consideration of Information Considered in Prior Application

As a preliminary matter, Applicant requests that the Examiner acknowledge that the references cited under 35 U.S.C. §120, on the earlier filing dates of prior Application Nos. 09/705,288, filed on November 1, 2000; 09/580,273, filed on May 25, 2000; and 09/431,668, filed on November 1, 1999, have been considered pursuant to MPEP §609.02.

Claim Rejections – 35 U.S.C. § 103

In the Office Action, the Examiner rejected Claims 1-5, 8-15, 18-24, and 27-29 under 35 U.S.C. § 103(a) as being unpatentable over Atkins (U.S. Patent No. 5,875,437) in view of Sullivan et al. (U.S. Patent No. 6,615,240) and further in view of Leemhuis (U.S. Patent No. 6,470,325). Applicant respectfully submits the amended claims include limitations that are not taught or suggested by the combination of cited references. Accordingly, the amended claims would not be obvious to one of ordinary skill in the art, and the obviousness rejection under §103 should be withdrawn.

The claims have been amended to more clearly define the projection of expected income and expenses based on specific financial information and external market data. Particularly, the user-provided financial information relates to historical user income and expense information, and the external market data includes at least one of interest rates and inflation rates. Combining this user-provided information with the external market data enables the claimed invention to provide a more accurate projection of cash flow surplus or deficit.

In contrast, the combination of cited references does not teach or suggest the user-provided supply of historical financial information, combined with access to the recited external market information. Rather, the cited references at most disclose using “general economic and financial projections” (See, e.g., *Atkins*, Col. 16, lines 26-28), not projections

driven from specific market data. Similarly, the cited references fail to teach or suggest generating projections based on the combination of market data and an individual's specific income and expense history.

Additionally, the claims are amended to recite providing both investment coaching and financial coaching over the wide area network. As recited, investment coaching for a projected cash flow surplus includes providing investment advice, tax advice, product recommendations, and information on recommended products. Thus, the claimed invention enables financial investment advice and coaching on the basis of such specialized advice and recommendations, tailored to the user if a surplus is projected.

Similarly, the amended claims now recite providing financial coaching for a projected cash flow deficit, which provides useful information to avoid a future deficit through tax advice, business funding advice, spending advice, and investment portfolio balancing advice. The provision of such information and advice is not taught or suggested by the cited prior art.

The claims are also amended to clarify that both investment coaching and financial coaching are distinctly provided from both of an automated coaching interface and customized independent live advisor counseling. As this language recites, the automated coaching is delivered in an interface, and is distinct from the advice provided from a live advisor, i.e., a live person. The combination of references does not teach or suggest a financial system providing the same type of investment and financial coaching through both of these distinct methods.

Moreover, in contrast to the assertion in the Office Action, *Sullivan* does not disclose independent customized counseling by a live advisor. The system of *Sullivan* is configured to primarily provide automated self-help to allow the user to perform his or her own research to find an answer to a problem. In contrast, the claimed invention provides automated coaching to provide financial guidance without the user needing to initiate any "self-help" action. Similarly, the option to "escalate to live-help" disclosed in *Sullivan* does not teach or suggest the "independent live advisor" counseling recited in the claimed invention. The claimed invention provides amounts of customized live advisor counseling as part of the selected service level, and therefore directly provides customized independent counseling to the user regardless of a need to "escalate" when the user believes he or she needs help.


Accordingly, because each and every limitation of the amended claims is neither taught nor suggested by the cited references, a prima facie case of obviousness has not been established and the rejected claims are allowable. Further, because claims 2-5, 8-10, 12-15, 18-19, 21-24, 27-29 depend either directly or indirectly from independent claims 1, 11, and 20, these dependent claims are also allowable as depending from allowable claims. Applicant respectfully requests that the rejection of all claims under § 103(a) be withdrawn.

CONCLUSION

Applicant now submits that all pending claims are allowable and respectfully requests that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7345. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-375802).

Respectfully submitted,

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